Minutes September 1, 2008

Holiday.

Minutes September 2, 2008

Court convened at 9:00 a.m.

Panel 1

Present:

Ramirez, P.J.

King, J.

Miller, J.

Rachel Borba, Deputy Clerk

E040370 The People v. Jon-Peirre Ricketts et al.

Merits. Cause called and Lynda A. Romero, Esq. argued for appellant Jon-Pierre Ricketts; Patricia J. Ulibarri, Esq., argued for appellant Charles Hale; Joan Isserlis, Esq., argued for appellant Derrick Scott; A. Natasha Cortina, Deputy Attorney General, argued for respondent. Cause submitted.

E043087 The People v. Joe Barrientos

Merits. Cause called and Michael N. Friedman, Esq., argued for appellant; Christopher Beesley, Deputy Attorney General, argued for respondent. Cause submitted.

Panel 1a

Present:

Ramirez, P.J.

Hollenhorst, J.

King, J.

Rachel Borba, Deputy Clerk

E039367 The People v. Clifford Garrett E040423 The People v. James L. Abbott

Merits. Cause called and Laura G. Schaefer, Esq., argued for appellant Clifford Garrett; Waldemar D. Halka, Esq., argued for appellant James Abbott; Marissa A. Bejarano, Deputy Attorney General, argued for respondent. Cause submitted.

Minutes September 2, 2008

E043817 Minerva Fiscal v. Patsy Anderson

Merits. Cause called and Nectaria Belantis, Esq., argued for appellant; Christopher G. Jensen, Esq., argued for respondent. Cause submitted.

E043932 Mission Shores Association v. David Pheil

Merits. Cause called and J. Rodney DeBiaso, Esq., argued for appellant; Laurie S. Poole, Esq., argued for respondent. Cause submitted.

Panel 1b Present: Hollenhorst, Acting P.J. McKinster, J. Gaut, J. Rachel Borba, Deputy Clerk

E041967 The People v. Brett May et al.

Merits. Cause called and Arthur B. Martin, Esq., argues for appellant Terrell Law; Christopher P. Beesley, Deputy Attorney General, argued for respondent. No appearance for appellant Brett May. Cause submitted.

E041402 The People v. Byron Mayfield et al.

Merits. Cause called and Laura G. Schaefer, Esq., argued for appellant Byron Mayfield; Leslie Conrad, Esq., argued for appellant Anthony Rimoldi; Lynne G. McGinnis, Deputy Attorney General, argued for respondent. No appearance for appellant Eric Lewis. Cause submitted.

E041501 The People v. Edward Adams

Merits. Cause called and Jean Matulis, Esq., argued for appellant; Ronald A. Jakob, Deputy Attorney General, argued for respondent. Cause submitted.

E044028 A-1 Temporary Power Systems, Inc. v. Pulte Homes, Inc.

Merits. Cause called and Gregory J. Pedrick, Esq., argued for appellant; Antony D. Nash, Esq., argued for respondent. Cause submitted.

Court adjourned.

Minutes September 2, 2008

Court reconvened at 1:30 p.m.

Panel 1b

Present:

Hollenhorst, Acting P.J.

McKinster, J.

Gaut, J.

Sonia De Leon, Deputy Clerk

E043111 The People v. Joaquin Faz

Merits. Cause called and Rex A. Williams, Esq., argued for appellant; Robin Derman, Deputy Attorney General, argued for respondent. Cause submitted.

Panel 2

Present:

McKinster, Acting P.J.

Gaut, J.

King, J.

Sonia De Leon, Deputy Clerk

E041640 Ernst Hammermueller v. North American Company for Life and

Health Insurance

E045194 Ernst Hammermueller v. North American Company for Life and Health Insurance

Merits. Cause called and Margaret M. Grignon, Esq., argued for appellant North American Company for Life and Health Insurance; Ian Herzog, Esq., argued for appellant Ernst Hammermueller. Cause submitted.

Panel 2a

Present:

McKinster, Acting P.J.

Gaut, J.

Miller, J.

Sonia De Leon, Deputy Clerk

E043124 Elsie Demers v. Tina Allen

Merits. Cause called and Lisa W. Cooney, Esq., argued for appellant; Michael R. Schaefer, Esq., argued for respondent. Cause submitted.

Court adjourned.

Minutes September 3, 2008

The following cases are submitted this date:

E043913	The People v. Charles William Braden
E044629	The People v. David Diaz Campuzano
E045178	In re Michael R., a Person Coming Under the Juvenile Court Law.
	The People v. Michael R.

E044920 In re Anthony C. et al., Persons Coming Under the Juvenile Court Law. Department of Children's Services v. Jonathan R. et al. Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E043341 The People v. Edgar Franklin Jones Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E042942 The People v. Joe Anthony Jordan Opinion

Judgment affirmed with directions.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E043599 The People v. Robert Edward Beck Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E043267 Melissa Murphy v. Ragheb Elzein Opinion

Judgment affirmed.

Miller, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

Minutes September3, 2008

E042347 The People v. Lonnie E. Nugent Opinion

Judgment affirmed. Miller, J.

We concur: McKinster, Acting P.J., King, J.

Minutes September 4, 2008

The following cases are submitted this date:

E045735	In re J.R., a Person Coming under the Juvenile Court of Law.
	Department of Public Social Services v. L.R.
E045171	The People v. Julian Reyes Tafolla
E045281	The People v. Adan Chavez
E045664	In re D.A.; The People v. D.A.
E045744	In re Laura C. et al., Persons Coming Under the Juvenile Court Law.
	Department of Children's Services v. Timothy C.
E045174	In re E.M., a Person Coming Under the Juvenile Court Law.
	Department of Children's Services v. John L.
E043910	The People v. Peter James Battershell
E044952	The People v. Erik Ervin

E044639 In re J.E. et al., Persons Coming Under the Juvenile Court Law.

Department of Children's Services v. G.L. Opinion

Judgment reversed.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

Minutes September 5, 2008

E044847 In re B.R., a Person Coming Under the Juvenile Law.

The People v. B.R.

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E044788 In re T.A. et al.; Persons Coming Under the Juvenile Court Law. Department of Public Social Services v. J.A. Opinion

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E043278 The People v. Steven Christopher Gilmore

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E041967 The People v. Brett Alan May et al.

Opinion

Judgment affirmed. Hollenhorst, Acting P.J.

We concur: McKinster, J., Gaut, J.

E043817 Minerva Fiscal v. Patsy J. Anderson

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., King, J.

E044654 In re S.C., a Person Coming Under the Juvenile Court Law.

Department of Children's Services v. T.B. et al

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Miller, J.

E044503 In re Abner A., a Person Coming Under the Juvenile Court Law. The People v. Abner A. Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

Minutes September 5, 2008

E042763 The People v. Raul Augustine Silva

Opinion

Judgment affirmed in part; reversed in part with directions.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E043324 The People v. Deshawn Scott

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E043726 The People v. Gerald J. Jones

Opinion

Judgment affirmed. Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E043403 The People v. Virgil Meakins

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E046030 K. C. v. Superior Court; Department of Children's Services Opinion

Petition denied.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E043476 In re Z.L., a Person Coming Under the Juvenile Court Law.

The People v. Z.L.

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E044759 The People v. Jimmy Lee Snell

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

E043932* Mission Shores Association v. David Pheil

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., King, J.

*Certified for Publication

Minutes September 5, 2008

E045319 In re F.D. et al., Persons Coming Under the Juvenile Court Law.

Department of Public Social Services v. D.G. Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E043500 Mary Dicara v. Cahuilla Band of Indians

Order

Petition for rehearing denied.

E041691 The People v. William Wayne Anno

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., King, J.

Minutes September 8, 2008

The following case is submitted this date:

E045301 The People v. David Rodriguez

E039203 The People v. Jeremy Samuels

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

Minutes September 9, 2008

E045230 In re M.M. et al., Persons Coming Under the Juvenile Court Law. Department of Children's Services v. K.M. Opinion

Judgment affirmed in part and reversed in part.

King, J.

We concur: McKinster, Acting P.J., Miller, J.

E044755 The People v. Ronald Anthony Lucero

Opinion

Judgment affirmed with directions.

King, J.

We concur: McKinster, Acting P.J., Miller, J.

E043087 The People v. Joe Anthony Barrientos

Opinion

Judgment affirmed.

King, J.

We concur: Ramirez, P.J., Miller, J.

E043598 The People v. Firouzeh Abdi

Opinion

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Miller, J.

E045410 In re T.S., a Person Coming Under the Juvenile Court Law. Department of Children's Services v. K.M.

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: King, J., Miller, J.

E043449 The People v. Javier Espinoza

Opinion

Judgment affirmed with directions.

King, J.

We concur: McKinster, Acting P.J., Miller, J.

E042411 The People v. Jesse Lloyd Hall

Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Hollenhorst, Acting P.J., Miller, J.

Minutes September 10, 2008

The following cases are submitted this date:

E044176	The People v. Richard Alan Chapman
E042271	The People v. Alonzo Mata
E043073	The People v. Melvin Fisher
E044815	In re J.C. et al., Persons Coming Under the Juvenile Court Law.
	Department of Public Social Services v. R.C.

E046268 Apostolic Assembly Of The Faith In Christ Jesus, Inc., et al. v. Superior Court; Gregory Ruff Opinion

Petition granted in part; denied in part.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Miller, J.

E042818 The People v. Elijah Ray Rich

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

E045658	In re S.W., a Person Coming Under the Juvenile Court Law.	
	Department of Children's Services v. S.W.	Order
E046199	In re S.W., a Person Coming Under the Juvenile Court Law.	

Department of Children's Services v. S.W.

The motion to consolidate is granted. Appeals in case numbers E045658 and E046199 are consolidated for purposes of briefing, oral argument and decision. Case number E045658 is designated the master file.

E045891	Department of Child Support Services et al. v. Michael Peterse	en;
	Kristy Brady	Order

E046196 Riverside Department of Child Support Services et al. v. Michael Petersen

On the court's own motion the appeals in case Nos. E045891 and E046196 are consolidated for purposes of one record, briefing, oral argument and decision. Case number E045891 is designated the master file.

Minutes September 11, 2008

The following cases are submitted this date:

E044024 The People v. John Allen Spicer E045604 The People v. Kevin Little

E042646 The People v. Javier Rivas Deharo

Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E044128 The People v. Thomas Clinton, Jr.

Opinion

Judgment affirmed in part; reversed in part with directions.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E043188 The People v. Tommy Thanh

Opinion

Judgment affirmed as modified.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E041517 The People v. Larry Ford et al.

Order

Petition for rehearing is denied.

E043209 The People v. Deon Detes Abrams

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

E046105 B.H. v. Superior Court; Department of

Opinion

Children's Services

Petition denied.

Hollenhorst, J.

We concur: Ramirez, P.J., Miller, J.

E045460 The People v. William Ruiz

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Miller, J.

Minutes September 12, 2008

No Minutes for September 12, 2008.

Minutes September 15, 2008

E046354 DCFS USA v. Superior Court; S.A.F. Forged Wheels, Inc. Opinion

Petition granted by opinion.

McKinster, Acting P.J.

We concur: Gaut, J., Miller, J.

E041402 The People v. Byron Walter Mayfield et al.

Opinion

Judgment affirmed as to defendant Byron Walter Mayfield.

Judgment affirmed as to defendant Eric Stephen Lewis.

Judgment affirmed as modified as to defendant Anthony Joseph Rimoldi.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E045285 The People v. Antoinette Maldonado

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Miller, J.

E040974 Friends of Loma Linda et al. v. Kari Verjil; Jay Gallant

No change in judgment.

Modification of Opinion

Petition for rehearing denied.

Hollenhorst, Acting P.J.

I concur: Gaut, J.

Minutes September 16, 2008

The following cases are submitted this date:

E043456	CAG, LLC et al. v. Felipe Fuentes
E044213	The People v. Michael Darnell Clemons
E044462	The People v. Karluki Larry Jones
E044079	The People v. Donald Darrell King

E045264 In re D.S., a Person Coming Under the Juvenile Court Law. Opinion Department of Children's Services v. A.M.

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E045521 The People v. Theodore Beech Medley

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Miller, J.

E043581 The People v. Mark Aaron Vogt

Opinion

Judgment affirmed. Hollenhorst, Acting P.J.

We concur: Richli, J., Miller, J.

E046296 The People v. Superior Court; Lynell Page

Opinion

Petition granted.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Miller, J.

E040853 Kristen Sulzmann, a Minor, etc. v. Colton Joint Unified

School District et al.

Opinion

Judgment reversed with directions.

Hollenhorst, Acting P.J.,

We concur: McKinster, J., Miller, J.

E045173 The People v. Joel Bautista

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting, P.J., King, J.

Minutes September 16, 2008

E045274 The People v. Johnny Fowler

Opinion

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E045744 In re Laura C. et al., Persons Coming Under the Juvenile Court Law. Department of Children's Services v. Timothy C. Opinion

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E044262 County of Riverside Department of Child Support Services

v. Samuel Deans; Shawna Garrett

Opinion

Judgment affirmed in part and reversed in part with directions.

McKinster, J.

We concur: Ramirez, P.J., Richli, J.

E044393 Alfonso Valdez v. California Highway Patrol et al

Opinion

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Miller, J.

E042648 The People v. Renato Rangel

Opinion

Appeal dismissed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E044028 A-1 Temporary Power Systems, Inc. v. Pulte Homes, Inc. Opinion

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E046074 B.S. v. The County of Riverside; Department of Public Social Services Petition denied. Opinion

Richli, J.

We concur: McKinster, Acting P.J., Gaut, J.

Minutes September 17, 2008

The following cases are submitted this date:

E043391	The People v. Enrique Cota Angulo
E044433	The People v. George Gus Garcia
E041497	The People v. Francisco Augustine Diaz Lopez
E043960	The People v. Ruben Macias;
E045036	In re Ruben Macias on Habeas Corpus
E043254	The People v. Gioncarlo Mendez
E043872	The People v. Arturo Larios Sanchez
E045183	The People v. Francisco Cardenas
	-

E043671 The People v. Samuel Jesus Lucero

Opinion

Judgment affirmed as modified.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E043039 The People v. Ramon Alberto Cantu

Order

Respondent's petition for rehearing is denied.

E044500 Tracy Haynes, Sr. v. First Federal Bank of California

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Miller, J.

E043910 The People v. Peter James Battershell

Opinion

Judgment affirmed in part and reversed in part with directions.

Gaut, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E041501 The People v. Edward Michael Adams

Opinion

Judgment affirmed in part and reversed in part.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

Minutes September 18, 2008

The following cases are submitted this date:

E044219 E044111 E045739 E045213	The People v. Charles Richard Hampton III The People v. Perry Lamar Sterling In re C.G., a Person Coming Under the Juvenile Coun Department of Children's Services v. N.D. et al. The People v. Mitchell Berg	t Law.
Richli	The People v. Benny Wise nent affirmed. , J. oncur: McKinster, Acting P.J., King, J.	Opinion
E041967 Petitio	The People v. Brett Alan May et al. on for rehearing is denied.	Order
E041928 Petitic	The People v. Thomas Howard on for rehearing is denied.	Order

Minutes September 19, 2008

E046276* John F. Martin v. Riverside County Department of

Code Enforcement et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

*CERTIFIED FOR PUBLICATION

E043347 The People v. Gary Lee Pratt

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Miller, J.

E044629 The People v. David Diaz Campuzano

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Hollenhorst, J., Miller, J.

E045178 In re Michael R., a Person Coming Under the Juvenile Court Law. The People v. Michael R. Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Hollenhorst, J., Miller, J.

E044405 The People v. Wayne Paul Miller

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

Minutes September 22, 2008

The following cases are submitted this date:

The People v. David Williamson The People v. Alejandro Mendoza

E045960 C. R. et al. v. Superior Court; Department of Public

Social Services Opinion

Petitions denied.

King, J.

We concur: McKinster, Acting P.J., Richli, J.

E043111 The People v. Joaquin C. Faz Opinion

Judgment reversed with directions.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E041497 The People v. Francisco Augustine Diaz Lopez Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Hollenhorst, J., Miller, J.

E042942 The People v. Joe Anthony Jordan Modification of Opinion

No change in judgment.

Gaut, J.

I concur: Hollenhorst, Acting P.J.

Minutes September 23, 2008

The following cases are submitted this date:

E043732	The People v. Jose Rogelio Ibarra
E044863	The People v. George Pitt
E043083	The People v. Mario Cristobal Rabanales
E043664	The People v. Asencion Hernandez Rendon
E044737	The People v. Patricia Ann Watkins
E045372	In re A.M., a Person Coming Under the Juvenile Court Law.
	Department of Children's Services v. L.E.
E044668	In re K.A. et al., Persons Coming Under the Juvenile Court Law
	Department of Public Social Services v. K.L.
E044691	In re S.D., a Person Coming Under the Juvenile Court Law.
	Department of Public Social Services v. R.S.
E045461	In re A.T., a Person Coming Under the Juvenile Court Law.
	Department of Public Social Services v. R.C.
E045112	In re A.C., a Person Coming Under the Juvenile Court Law.
	Department of Children's Services v. J.D.
E042369	Torab Ahmadi v. Paul Alford, as Trustee, etc.

Minutes September 24, 2008

No Minutes for September 24, 2008.

Minutes September 25, 2008

The following case is submitted this date:

E043357 The People v. Charles Williams

Minutes September 26, 2008

The following cases are submitted this date:

E045665 The People v. Marco Amezola E045418 The People v. Roy Gustafson

Minutes September 29, 2008

E043124 Elsie Karen Demers v. Tina L. Allen

Opinion

Judgment affirmed.

Miller, J.

We concur: McKinster, Acting P.J., Gaut, J.

Minutes September 30, 2008

The following cases are submitted this date:

E044597 The People v. Duke Haltom

E046060 The People v. Clement Isadore Leach, Jr.